



SITE ADDRESS: 60 West Broad Street

Office Use Only:

DATE SUBMITTED: 5.28.2020 HEARING DATE: 7.22.2020

PLACARD: 7.7.2020 FEE: 500⁰⁰

ZONING CLASSIFICATION: CB LOT SIZE: 18,408 SF

**APPLICATION FOR APPEAL TO THE CITY OF BETHLEHEM ZONING HEARING BOARD,
10 E. CHURCH STREET, BETHLEHEM, PA 18018**

1. Return one (1) original and seven (7) copies of this application and all supporting documentation to the Zoning Officer, along with the filing fee. Include site plans and/or floor plans as necessary.
2. The application is due by 4PM the 4th Wednesday of the month. The hearing will be held the 4th Wednesday of the next month.
3. If you are submitting MORE THAN 10 exhibits at the hearing, you MUST place them in an indexed binder and submit at one time.

Appeal/Application to the City of Bethlehem Zoning Hearing Board is hereby made by the undersigned for: (check applicable item(s)):

- Appeal of the determination of the Zoning Officer
- Appeal from an Enforcement Notice dated _____
- Variance from the City of Bethlehem Zoning Ordinance
- Special Exception permitted under the City Zoning Ordinance
- Other: Interpretation

SECTION 1

APPLICANT:	
Name	Posh Properties No. 32 Bowlarama Limited Partnership
Address	2216 Willow Park Road
	Bethlehem, PA 18020-4250
Phone:	[REDACTED]
Email:	[REDACTED]
OWNER (if different from Applicant): Note. If Applicant is NOT the owner, attach written	

authorization from the owner of the property when this application is filed.	
Name	same as Applicant
Address	
Phone:	
Email:	
ATTORNEY (if applicable):	
Name	James F. Preston, Esquire
Address	38 West Market Street
	Bethlehem, PA 18018
Phone:	[REDACTED]
Email:	jamespreston@broughal-devito.com

SECTION 2. INFORMATION REGARDING THE REAL ESTATE

1. Attach a site plan, drawn to scale, of the real estate. Include existing and proposed natural and man-made features.
2. Attach photographs.
3. If the real estate is presently under Agreement of Sale, attach a copy of the Agreement.
4. If the real estate is presently leased, attached a copy of the present lease.
5. If this real estate has been the object of a prior zoning hearing, attach a copy of the Decision.

SECTION 3.

THE RELIEF SOUGHT:

If the Applicant seeks a dimensional variance for any setback, lot coverage, distance between certain uses, etc., please state the following:

Section of Code	Dimension Required by Code	Dimension Proposed by Applicant	Variance Sought
N/A			

If the Applicant seeks a use or other variance, please state the **specific section(s)** of the Zoning Ordinance applicable and describe the variance sought.

If the Applicant seeks a Special Exception, please state the **specific section (s)** of Zoning Ordinance applicable:

~~_____~~

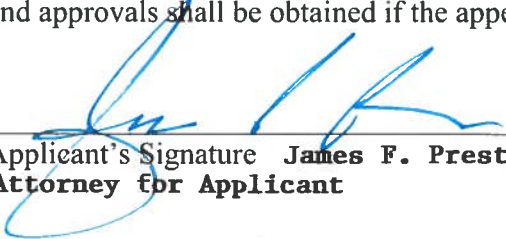
If the Applicant seeks an appeal from an interpretation of the Zoning Officer, state the remedy sought in accordance with Sec. 1325.11 (b):

NARRATIVE

A brief statement reflecting why zoning relief is sought and should be granted must be submitted.

CERTIFICATION

I hereby certify that the information contained in and attached to this application is true and correct to the best of my knowledge and belief.
I also certify that I understand that any and all federal, state or local rules and regulations, licenses and approvals shall be obtained if the appeal is granted.

By: 
Applicant's Signature **James F. Preston, Esquire**
Attorney for Applicant

May 28, 2020
Date

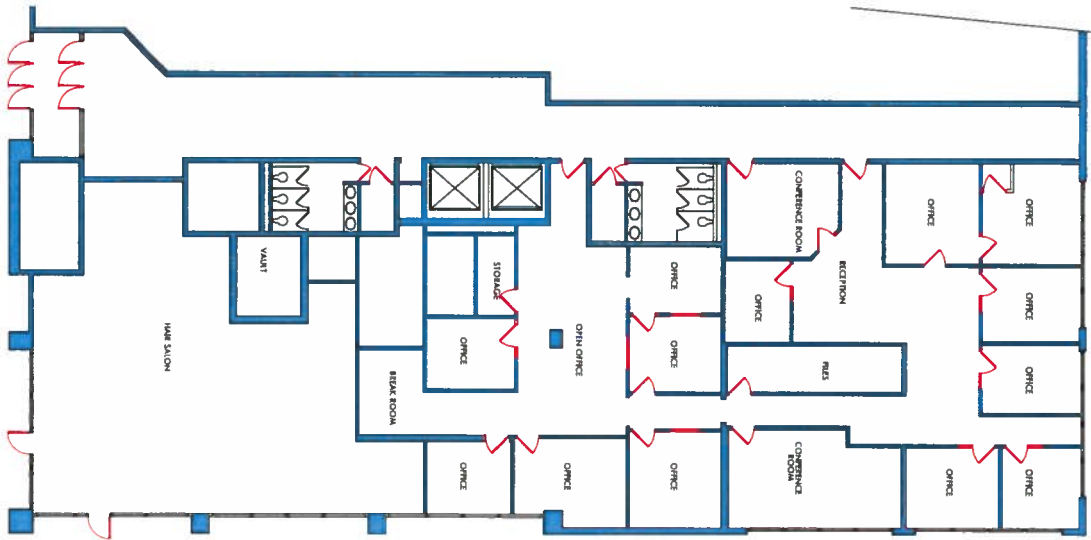
Property owner's Signature

Date

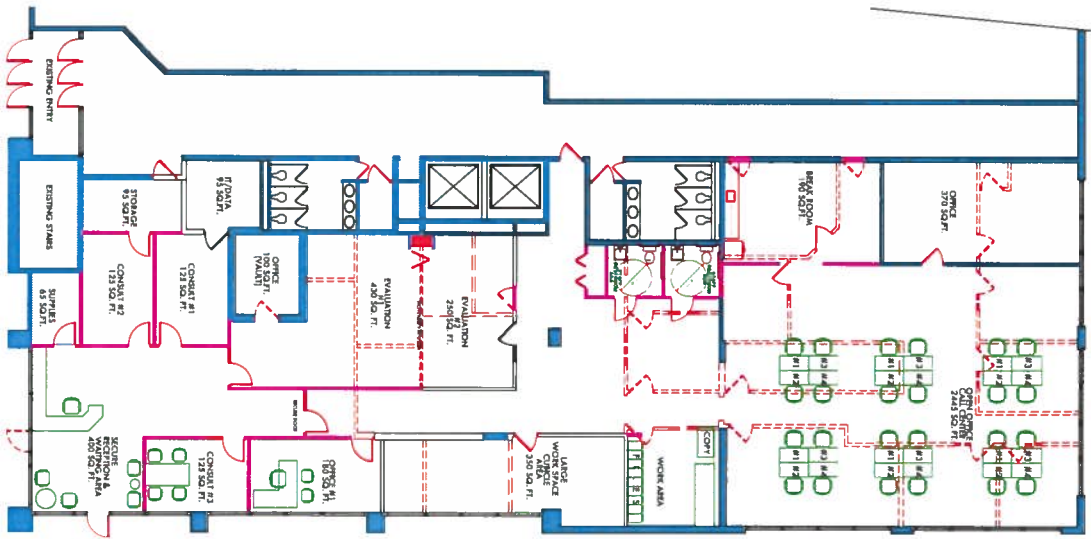
Received by

Date

NOTICE: If the Decision of the Zoning Hearing Board is appealed, the appellant is responsible for the cost of the transcript.

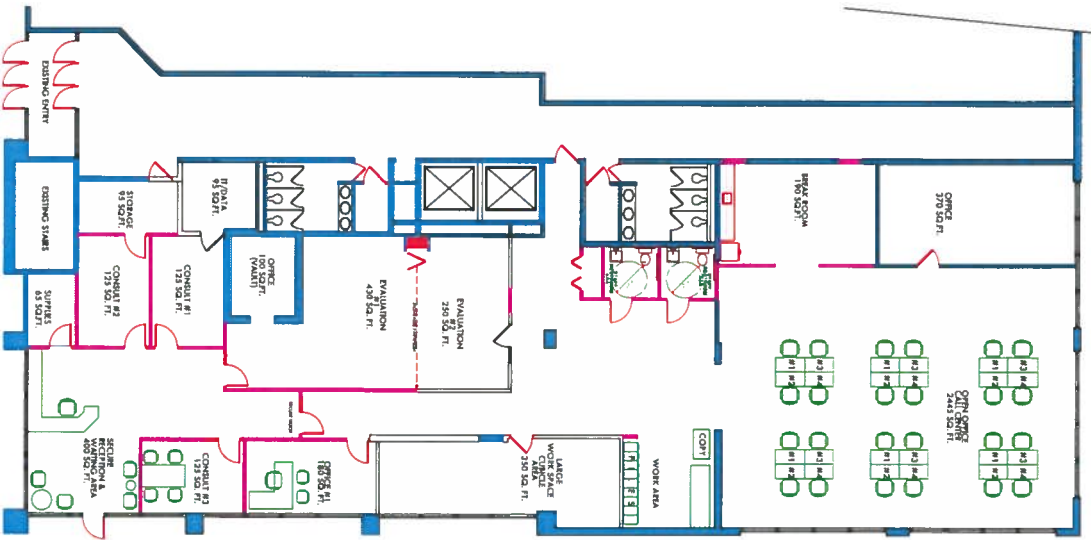


1 PARTIAL FIRST FLOOR PLAN - EXISTING CONDITIONS



2 PARTIAL FIRST FLOOR PLAN - DEMOLITION/PROPOSED

--- = EXISTING PARTITIONS TO BE REMOVED



3 PARTIAL FIRST FLOOR PLAN - PROPOSED LAYOUT LANTA SCHEME "G"

--- = EXISTING PARTITIONS TO REMAIN OR BE REUSED

— = NEW PARTITIONS

— = EXISTING ROOMS

A-1

SCHEME "G" LANTA	
DATE: 10/11/11	SCALE: 1/8" = 1'-0"
DRAWN BY: [Name]	CHECKED BY: [Name]

EXISTING & PROPOSED CONDITIONS PLAN
for
60 WEST BROAD STREET
BETHLEHEM, PA 18015

NO. OF SHEETS	1
TOTAL SHEETS	1



IN RE: APPEAL OF POSH PROPERTIES NO. 32 BOWLARAMA LIMITED PARTNERSHIP

Narrative

This Appeal concerns an existing building situated on property in a CB Zoning District with a street address of 60 West Broad Street. The building houses multiple office/business uses spread over 3.5 stories, which uses are permitted in the CB District. Two of the first-floor tenants are vacating and the Lehigh and Northampton Transportation Authority (LANTA) seeks to lease that space for offices. LANTA's proposed use is a permitted use in the CB District; however, the City's Zoning Officer has determined that Z.O. § 1306.01(b)(1)(a), "note I", operates to prohibit LANTA's proposed use.

"note I" reads as follows:

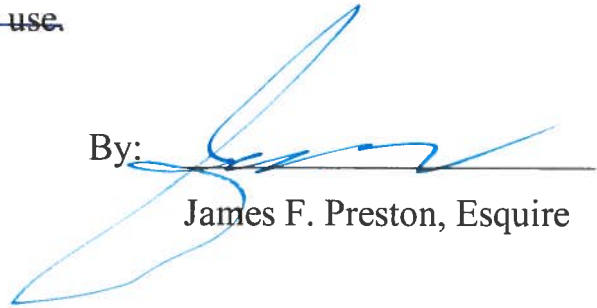
"Multi-family dwelling units are permitted by right uses in existing structures. However, the first floor of a structure must contain a retail, restaurant or personal service use along the street frontage. There is no maximum density per acre, as long as all other restrictions are met. (Amended 3/6/18, Ord. 2018-2) Amended 6/5/18, Ord. 2018-14).

There are no residential uses, and specifically no "multi-family dwelling units", at 60 West Broad Street, and this application does not propose any. Therefore, "note I" does not apply. Applicant seeks an interpretation that Z.O. § 1306.01 (b)(1)(a), note I does not apply to the Applicant's proposed use.

In the alternative, the Applicant seeks a variance from "note I", as the interpretation applied by the Zoning Officer imposes an unnecessary hardship and interferes with the reasonable use of the property.

~~In the alternative, the Applicant seeks a special exception to continue and/or change an existing non-conforming use as the majority of the first floor of this building is occupied as an office use.~~

Date: May 28, 2020

By: 
James F. Preston, Esquire